

UTT/15/2160/FUL (NEWPORT)

Referred to Committee by Cllr Neil Hargreaves Reason: Development is higher than the surrounding properties, it would lead to loss of light, inadequate car parking, spaces in between the car parking spaces are not sufficient and the plans are not accurate.

PROPOSAL: Demolition of existing office and garages. Erection of two storey detached residential building comprising of 4 self-contained flats, 8 car parking spaces plus rear general amenity space (REVISED APPLICATION)

LOCATION: Police Station London Road Newport Saffron Walden Essex

APPLICANT: Archers Development Ltd

AGENT: Brian Christian

EXPIRY DATE: 27 November 2015

CASE OFFICER: Emmanuel Allanah

1. NOTATION

- 1.1 Within Development Limits, SSSI Consultation Areas, Aerodrome Direction, Water Authority and within Floods Plain Zones 2 and 3.

2. DESCRIPTION OF SITE

- 2.1 The application site is a two storey detached building with an attached rear garages and a side gated access. It was the former Police Station which is located along London Road in Newport. It is bounded to the front by other residential properties across the road which range from bungalows to two storey detached buildings. It is bounded on both west and east by two storey detached residential properties. The rear comprised of unattended hedgerow and plants. The application site is approximately 0.07hectares.

3. PROPOSAL

- 3.1 Demolition of existing office and garages. Erection of two storey building comprising of 4 No. flats, 8 car parking spaces and rear general amenity space (Revised Application).
- 3.2 The proposed access would be from existing gated access and would be widened by 3m as advised by the Highways Authority.

4. APPLICANT'S CASE

- 4.1 The applicant supported the revised application with amended proposed plans, Bats Survey, Flood Risk Assessment, Supplementary Ecological Assessment for the Old Police Station in addition with detailed responses to the Parish Council objection and concerns in a letter dated 17th August, 23rd September and 13th October 2015 demonstrating how the revised scheme is considered acceptable.

5. RELEVANT SITE HISTORY

- 5.1 UTT/15/0589/FUL. Demolition of existing office and garages. Erection of 7 no. flats with garages and parking. Refused on 6 May 2015.
- 5.2 UTT/0708/05/FUL. Change of use from police traffic unit to single dwelling. Approve with condition on 17 August 2005.
- 5.3 UTT/1268/79. Change of use of existing Police House and Office to all office accommodation and construction of 4 garages and driveway onto A11 road. Approve with condition on 7 January 1980.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S3: Other Settlement Boundaries
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN3: Flood Protection
- Policy GEN6: Infrastructure Provision to Support Development
- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards

Uttlesford District Council - Developer Contribution Document 2015.

7. PARISH COUNCIL COMMENTS

7.1 The concerns and objection raised from Newport Council include the following:

- There are five flats, not six as stated.
- There is insufficient amenity space for six dwellings
- This is still overdevelopment of the site even with the removal of the flat over the garage
- We would question the purpose of the garage which is shown with roof lights. There should be a condition to restrict and change of use.
- We note the garage has been made narrower but wider
- There is insufficient turning space for vehicles, access and sight lines are impeded by cars parking in the lay by. We do not believe could turn on site so this would necessitate leaving the site in reverse onto the main road.
- 6.00 metres is needed behind a car space in order to get out; all the spaces are impossible to exit. None of these issues have been rectified on the revised plan.
- We do not believe that on site parking comes under the remit of ECC.
- The parking for P5 is not ideal; the boundary wall is in a vulnerable position when moving out.
- The amenity space is virtually non-existent
- No provision has been made for bins (5 flats would mean 15 bins)
- Cars in the lay-by compromise the sight line looking south

- The access alley is impracticable as it is far too narrow (an SLK is 2.006 over all the mirrors)
- It is normal practice that when drawings are revised the revision and the date of same should be shown. Without this information it is difficult to recognise the changes and extremely time consuming, i.e. we notice that the “adornment” on the roof has been removed on the revised drawing.
- Additional properties will overload our existing foul drainage system
- A part wall agreement will be required.

Further objection received from the Parish Council on 27th October 2015 following the revised scheme and their ground of objection includes the following and all the above:

- We note there are now 4 flats, although we were originally advised that it was 5.
- The amenity space has not changed. Even though the agent’s letter dated 23 September states that the amenity space has been improved, this is not the case.
- Clarity required on the external finishes
- In our opinion the site is best suited for a single detached or a pair of semi-detached houses. The developer should have considered the viability of this site before purchase.
- We have been issued with a copy of Drawing 4, revision 6, showing garages. These have been removed from the latest site plan which is drawing No.5, revision 7.
- We are not here to design the car parking layout but parking for 3A, 3B, 4A and 4B has now reappeared on Drawing 5, revision 7.
- Drawing No. 2, revision 6, no change but on the elevations it is not showing what appears to be boarding. Please clarify external materials.
- Drawing No. 3, revision 6, no change but clarification of materials and the proposed new garages should be deleted.
- Drawing No. 4, revision 6, no change. Not relevant as there are no garages on the latest drawing No. 5, revision 7.
- Drawing No.5, revision, 7 the pavement is not part of the site, plans require amendment.
- There is insufficient space for cars to reverse, P3A and P4B. Tandem parking is not practical.
- Still no indication of provision for bin and cycle storage.
- The agent would appear to be completely dismissive of the Essex Design Guide in his letter of 23rd September with particular reference to amenity space. We are concerned about this attitude but would welcome his contribution to providing funds for play equipment or a MUGA pitch
- The agent completely disregards the existing lay-by on London Road and if cars are parked in the lay-by this completely impairs the sight lines from traffic approaching from the south in particular. We would anticipate that casual callers and even residents of the flats will find this lay-by convenient to use.

8. CONSULTATIONS

Natural England

8.1 No objection.

Network Rail

8.2 No objection.

ECC Ecologist Consultant

8.3 No objection.

ECC Highways Authority

8.4 No objection subject to the recommended planning conditions.

Essex County Council Flood Risk Team

8.4 Given that this is a minor application they would not normally comment on sites of this size.

Environment Agency

8.5 No objection.

Housing Enabling Officer

8.6 The proposed development would attract Council's policy of a commuted sum to the value of £375,000 (£125,000 x 3) which would be used to deliver affordable homes for low and intermediate income households within the District.

9 REPRESENTATIONS

9.1 Five letters of objection and concerns received from neighbouring properties and their common grounds are as follows:

- Overdevelopment of the site leading to overbearing and out of keeping with the village atmosphere
- Overlooking and overshadowing
- Obstruction of light
- The parking layouts and location are potentially dangerous to other road users
- The form, scale, height not in line with village or surrounding houses
- Amenity space is too small

9.2 One letter of support received on the following grounds:

- Great to see land previously built on have the potential to come back in use.
- Parking looks a little tight maybe a slight reduction in the amenity space would allow easier access.

9.3 **Save Newport Village:** Object to the proposed development due to the following reasons:

- The intended footprint is more than twice as deep as the existing building
- The proposed design remains out of scale with the neighbouring properties
- Proposal would lead to overdevelopment of the site.
- Inadequate parking spaces
- The rear parking spaces are not viable due to insufficient turning space
- The proposed development is too close to neighbouring buildings, but other buildings on London Road are well spaced.
- The amenity space is too tiny

9.4 **Councillor Hargreaves** – Object to the proposal for the following reasons:

- Over development of the site
- Overpowering and out of keeping
- Overcrowded
- Overlooking
- Loss of light and views
- Generation of noise
- The development is higher than the surrounding properties
- Inadequate car parking
- No turning round space within the car park

10 APPRAISAL

The issues to consider in the determination of the application are:

- A Whether the principle of the development within development limits is acceptable (NPPF and ULP Policies S3 H3 applies)
 - B Whether the proposal would harm the character or the amenity of the area (ULP NPPF and Policy GEN2)
 - C The impact on local infrastructure (NPPF and ULP Policy GEN3)
 - D The impact of the proposal on wildlife (ULP Policy GEN7)
 - E Whether the development within the functional floodplain zone is acceptable (ULP Policy GEN3)
 - F Whether the proposal would harm traffic and other road users (ULP Policies GEN1 and GEN8)
 - G Other matters
- A Whether the principle of the development within development limits is acceptable (NPPF and ULP Policy S3 applies)**

10.1 The application site is a former Police Station located along London Road in Newport. It has been vacant for a very long period of time. It can therefore be described as brownfield site (i.e.; existing building) which is located within development limits and in a sustainable location because of its easy access to bus services and the Newport train station.

10.2 Paragraph 7 of the National Planning Policy Framework stated that there are three dimensions to sustainable development namely economic, social and environmental roles. The economic role of this application can be seen from the perspective of creating local jobs during the construction stages which would assist to support local economic growth. The social role would be through the means of supporting strong, vibrant and healthy communities, by providing housing needs through the brownfield site or vacant building. And the environmental role could be seen from the view of the design approach in enhancing the character of the built environment and locating housing within an area that is easily accessible to different mode of public transport network.

- 10.2 Policy S3 states that within other development limits such as within Newport development compatible with the settlement's character and countryside setting will be permitted.
- 10.3 The application site and its surroundings are characterised by different scale, form, layout and design of residential buildings and other commercial premises ranging from bungalows, two storey detached buildings and two storey terraced properties.
- 10.4 The proposed development would involve the demolition of the existing former Police Station and the rear garage in order to erect two storey detached residential building comprising of 4 self-contained flats, 8 car parking spaces and rear general amenity space. Given that the area is predominantly residential in character and the site is within development limits; in land use terms the principle of the proposal can be considered acceptable subject to the evaluation of its impact on the character and amenity of the area.

B Whether the proposal would harm the character or the amenity of the area (ULP NPPF and Policy GEN2)

- 10.5 Policy GEN2 affirms that development will not be permitted unless its design for example; in terms of its scale, form, layout, appearance and materials are compatible with the surrounding building; it would not harm the living condition of the adjoining occupiers in terms of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- 10.6 Given that the area is characterised mainly by two storey buildings, bungalows and two storeys detached terraced residential buildings in addition with other commercial premises with different heights such details has been taken into consideration through the proposed design approach for this proposed development. For example; the existing eaves height of the vacant Police Station is approximately 5m. The revised proposed development eaves height is 5.4m with an overall height of 9m with a pitched roof. The neighbouring property height to the north is approximately 170mm higher than the proposed development. And the neighbouring property to the south the height is approximately 530mm higher than the existing Police Station. Given the variation of different building heights and design within the immediate surroundings, it is considered that the revised proposed scheme in terms of its scale, design, mass, layout and form are considered acceptable because it is compatible with the variety of building heights, form and scale within the surroundings and the immediate built environment.
- 10.7 In an attempt to address the concerns and impact of the proposed development on the amenity of the adjoining occupiers in terms of overlooking or overbearing the applicant agreed to amend the proposal by changing the design details. For example; by removing the detached one and half storey garage at the rear, by reducing the height and mass of the revised scheme in order to ensure it respect the character of the area and avoid intrusion of privacy or overbearing on adjoining properties.
- 10.8 The upper floor side window facing the adjoining occupiers at the western side and the rear side upper floor windows as shown in the proposed plan would be obscured in order to safeguard the amenity of the adjoining properties or to prevent the intrusion of privacy. Such details would be condition in accordance with Policy GEN2.
- 10.9 In order to make the building more aesthetically pleasing the details of the external materials would be condition in order to ensure that they are sympathetic to the character of the area and in accordance with Policy GEN2.

10.10 The combination of all the proposed general rear amenity space is approximately 103sq.m which equates to 25.7sq.m per flats. This is considered acceptable because the Essex Design Guide minimum standard is 25sq.m per flat and given the location of the site the overall general amenity space at the rear of the site can be considered acceptable for the benefit of proposed four self-contained flats.

C Whether the proposed development would induce or be affected by flooding (ULP Policy GEN3)

10.11 The application site lies within a designated flood zone 3 plain area in which Policy GEN3 applies.

10.12 Policy GEN3 states that within the functional floodplain, building will not be permitted unless there is an exceptional need. Developments that exceptionally need to be located there will be permitted, subject to the outcome of flood risk assessment. Where existing sites are to be redeveloped, all opportunities to restore the natural flood flow area should be sought. Within areas of flood risks, within development limit, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.

10.13 The application site comprised of an existing building which would be demolished in order to erect a new two storey detached dwelling comprising of four self-contained flat and the site located within a designated flood zone 3. The Essex County Council Drainage and Flood Risk Team advised that they would not normally comment on sites of this size. It can therefore be taken that the proposed development would not be exposed to flooding and considering it is located within an existing built up environment area comprising of different types and scale of residential buildings and other commercial premises, there is no evidence to suggest the site would induce the risk of flooding. In conclusion, the Essex County Council Drainage and Flood Risk Team did not raise objection to this revised scheme.

10.14 The Environment Agency advised having considered the proposed flood risk assessment scheme, they confirmed it is acceptable and raise no objection to the location of the proposed development. Hence, the proposal is not considered to be in conflict with Policy GEN3 of the adopted Local Plan (2005).

D The impact of the proposal on wildlife (ULP Policy GEN7)

10.15 Policy GEN7 states that development that would have harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation.

10.16 Taken into consideration that the building and existing rear garages has been vacant for a very long period it is considered that it might harbour some wildlife such as bats and for that reason the applicant carried out a bats survey. In conclusion, there is no evidence of bats on the building and the Essex County Council Ecologist advised there is no need for further surveys; hence no objection. The proposal therefore is not in conflict with Policy GEN7.

E The impact on local infrastructure (ULP Policies GEN6 and H9)

10.17 Policy H9 affirms that the Council will seek to negotiate on a site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site consideration.

10.18 In view of the above policies the Council in September 2015 published the up-to-date Housing Strategy (Developers contribution) which is considered relevant to the current proposed four self-contained flats. This scheme as advised from the aforesaid document would attract the Council's policy of a commuted sum to the value of £375,000 (£125,000 x 3) which would use to deliver affordable homes for low and intermediate income households within the District. Such contribution would therefore be secured through the completion of Section 106 Agreement. At the time of considering this application the Essex County Council Education Authority comment/advice are still pending or not received.

F Whether the proposal would harm other road users or traffic in the vicinity (ULP Policies GEN1 and GEN8)

10.20 Policy GEN1 affirms that development will only be permitted if the access to the main road network is capable of carrying the traffic generated by the development safely; and design of the site must not compromise road safety and must take account of the needs of other road users.

10.21 The proposed access would be widened by 3m as advised by the Essex County Council Highways Authority. The increase in width of the proposed access is considered necessary compared to the existing width which used to serve the former Police Station need; because the current proposal is different in land use compared to the use of the site as a Police Station. In conclusion, the proposed access width is considered acceptable because it complies with Essex Design Guide and the adopted Local Plan (2005); in order to protect and safeguard traffic movement within the proposed development.

10.22 Policy GEN8 states that development will not be permitted unless the number, design and layout of vehicles parking places proposed are appropriate for the location.

10.23 The proposed four self-contained flats would be serviced with the provision of four car parking spaces at the rear with additional four car parking spaces to the front all measuring 5m in length and 2.9m in width respectively in addition with sufficient manoeuvring space. They are considered acceptable because they complied with Essex Design Guide.

10.24 Highways Authority have considered the proposed access and car parking facilities and concluded they are in compliance with the adopted Local Plan Policies GEN1 and GEN8 subject to the recommended planning conditions in order to protect other road users and traffic in the area.

Other matters

10.25 Having considered all representations and evaluated the above identified planning issues in accordance with the National Planning Policy Framework and the adopted Local Plan (2005); in addition with other material planning consideration the proposed development would not affect the aerodrome direction or any sensitive site as a result the proposed revised scheme is acceptable subject to the implementation of the

recommended planning conditions and the completion of Section 106 in order to secure financial contribution towards the provision of affordable housing off-site.

11 CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The principle of the proposal is acceptable because it would revert a vacant former police station into a beneficial use which would assist in providing housing need required within Newport. It is also Government policy to use brownfield site (i.e, existing building) in providing housing supply particularly when they are in a sustainable location such as the case of this application site.
- B The proposed scale, form, layout, design and appearance of the proposed development would not harm the character of the area or the amenity of the adjoining occupiers.
- C The revised scheme is considered acceptable because the proposed four self-contained flats would positively be compatible to the immediate land use character of the area which can be described as predominantly residential in character.
- D The proposed development would not generate adverse traffic when compared to the use of the site as a Police Station.

RECOMMENDATION – CONDITIONAL APPROVAL

- I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph III unless by 8 January 2016 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive-Legal, in which case he shall be authorised to conclude such agreement to secure the following:**
 - i. Provision of Affordable Housing**
 - ii. Payment of the Council's reasonable costs of monitoring**
 - iii. Payment of the Council's reasonable legal costs**
- II) In the event of such an amended agreement being made, the Assistant Director of Planning and Building Control shall be authorised to grant permission subject to the conditions set out below.**
- III) If the freehold owner shall fail to enter into such an Agreement, the Assistant Director of Planning and Building Control shall be authorised at his discretion to refuse planning permission for the following reasons:**
 - i. Lack of contribution to affordable housing.**

Conditions reasons

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Before development commences samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the adopted Local Plan (2005).

- 3 Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

REASON: To ensure that appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Policy GEN1 of the adopted Local Plan (2005).

- 4 Cycle/powered two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy GEN1 of the adopted Local Plan (2005).

- 5 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

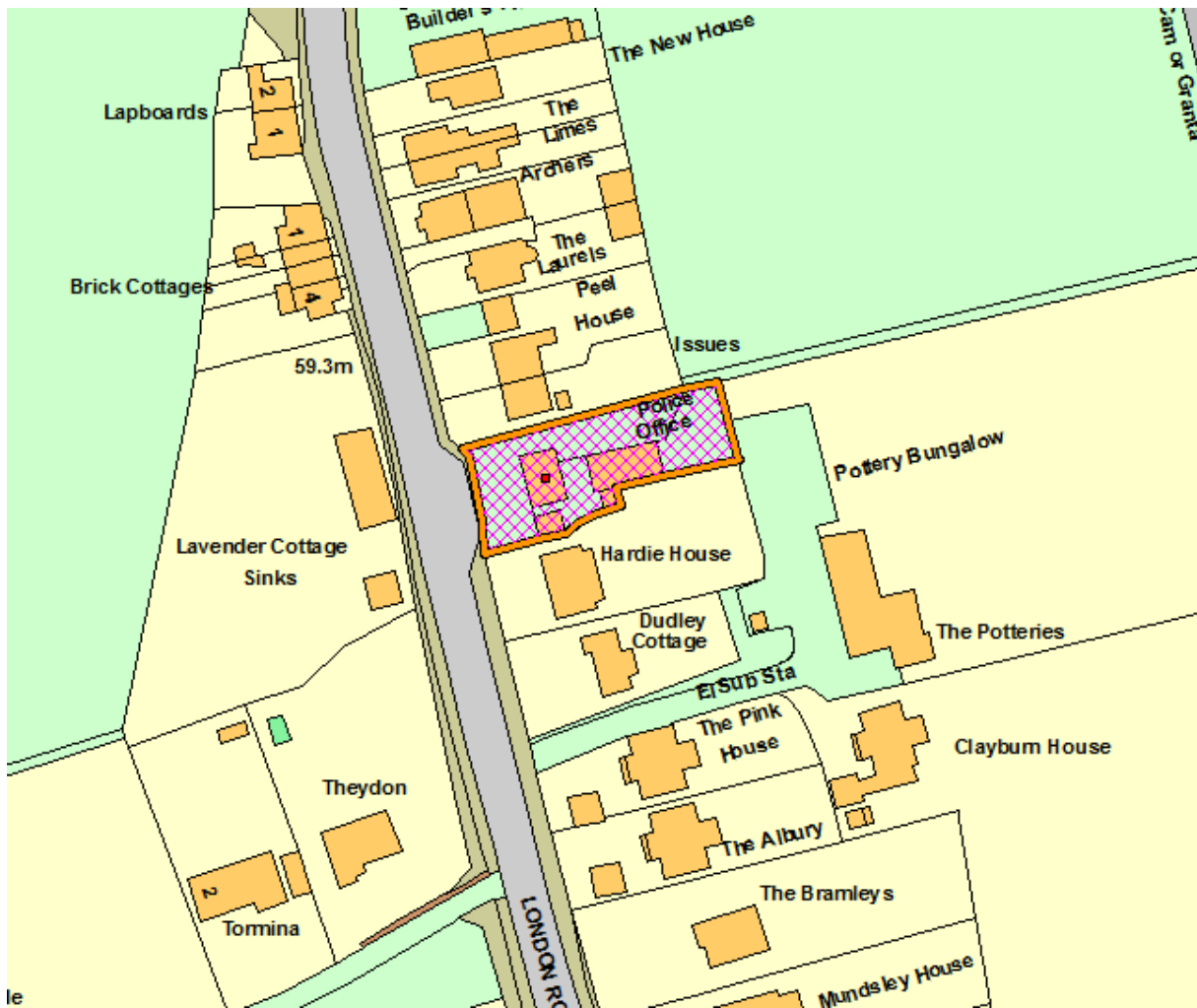
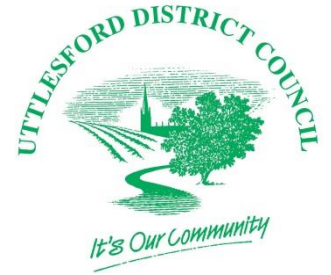
REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy GEN1 of the adopted Local Plan (2005).

6. The indicated obscured first floor windows shown in proposed Elevation drawing Number A 3 Rev 6 elevation and as indicated in the proposed drawing Number A 5 Rev7 shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in that/those window(s).

REASON: In order to prevent overlooking on the adjoining occupiers in accordance with Policy GEN2 of the adopted Local Plan (2005).

Application no.: UTT/15/2160/FUL

Address: Police Station, London Road Newport



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Organisation: Uttlesford District Council
Department: Planning
Date: 04 November 2015
SLA Number: 100018688